51. No works were carried out through the agency of the Public Works Department.

*(b) Protection of Forests from Injury.*

*(1) General Protection and Breaches of Forest Law.*

**(a) General Protection.**

52. The protective establishment has remained unchanged during the year.

Fresh instructions have been issued by Government on the proposals relating to the reorganisation of the subordinate Forest establishments submitted in response to their Resolution No. 5811, dated 29th July 1896, and all the Conservators in the Bombay Presidency have been directed to consult together and resubmit them on a uniform plan.

**(b) Breaches of Forest Law.**

Cases tried by Magistrates.

53. The following statement shows the number of cases tried by Magistrates for breaches of Forest law during the years 1895-96 and 1896-97, with the result of the trials :—

| Division. | Cases of 1895-96. | | | | | | Cases of 1896-97. | | | | | | Pending in Court on 1st July 1897. | Percentage of failure. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Pending in Court on 1st July 1895. | Taken into Court during the year. | Total. | Disposed of by Magistrates during the year. | | | Pending in Court on 1st July 1896. | Taken into Court during the year. | Total. | Disposed of by Magistrates during the year. | | | | 1895-96. | 1896-97. |
| | | | | Convicted. | Acquitted. | Total. | | | | Convicted. | Acquitted. | Total. | | | |
| Sukkur ... | ... | 29 | 29 | 12 | 8 | 20 | 9 | 31 | 40 | 19 | 9 | 28 | 12 | 40 | 32 |
| Naushahro ... | 3 | 28 | 31 | 12 | 11 | 23 | 8 | 14 | 22 | 11 | 4 | 15 | 7 | 48 | 27 |
| Hyderabad ... | 4 | 25 | 29 | 17 | 8 | 25 | 4 | 11 | 15 | 2 | 3 | 5 | 10 | 32 | 60 |
| Jerruck ... | ... | 3 | 3 | 1 | 1 | 2 | 1 | 4 | 5 | 2 | 2 | 4 | 1 | 50 | 50 |
| Total ... | 7 | 85 | 92 | 42 | 28 | 70 | 22 | 60 | 82 | 34 | 18 | 52 | 30 | 40 | 35 |

54. The year opened with 22 cases awaiting trial and 60 were taken into Court during the year. Of the total number, 52 were disposed of by the 30th June 1897, with the result that there were 34 convictions and 18 acquittals. The percentage of failures for the Circle has fallen from 40 to 35, which appears still somewhat high, but it is not actually so. When the number of prosecutions is small, as in the Sukkur and Jerruck Divisions, the slightest variation in the number of cases convicted or acquitted affects the proportion so considerably as to tend to an abnormal rise or fall in the percentage of failures, and such being the case in the year 1896-97 the results are not discouraging as they appear at first sight, but show a geneal improvement over those of 1895-96.

Comparative statement of prosecutions.

55. In the statement following, the number and nature of new cases taken into Court during the two years 1895-96 and 1896-97 are compared :—

| Division. | New cases of the year. | | | | | | | | Total. | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Injury to forest by fire. | | Unauthorised felling or appropriation of wood and other minor forest produce. | | Grazing without permission or in tracts in which grazing is prohibited. | | Other offences. | | | |
| | 1895-96. | 1896-97. | 1895-96. | 1896-97. | 1895-96. | 1896-97. | 1895-96. | 1896-97. | 1895-96. | 1896-97. |
| Sukkur ... | ... | 3 | 19 | 6 | 8 | 7 | 2 | 15 | 29 | 31 |
| Naushahro ... | 2 | 1 | 11 | 3 | ... | ... | 15 | 10 | 28 | 14 |
| Hyderabad ... | ... | ... | 17 | 8 | 4 | 1 | 4 | 2 | 25 | 11 |
| Jerruck ... | ... | 1 | 1 | 1 | 2 | ... | ... | 2 | 3 | 4 |
| Total ... | 2 | 5 | 48 | 18 | 14 | 8 | 21 | 29 | 85 | 60 |

56. In the Naushahro and Hyderabad Divisions, the number of new prosecutions is considerably less than in the year preceding, whereas in the other two it varies but little. This is the natural result of the special rules framed by the Commissioner in Sind, under which trivial offences are, as a rule, now compounded (*vide* paragraph 56 of the last Administration Report).

Two serious cases of theft of tali timber (Dalbergia Sissoo) from an old plantation created in the seventies in the Kadrapur Forest, near Sukkur, were brought to light, one of which was successfully prosecuted, and the other is under enquiry.

In five fire cases, the incendiaries were traced, and conviction was obtained only in two cases. In one, the offender was acquitted. One of the incendiaries has absconded into foreign territory (Bahawalpur), and a warrant is out against him, and one case was under trial at the close of the year. In the case acquitted, the culprit was seen attempting to fire the forest, but the witnesses who had given the information to the Range Forest Officer retracted their statements before the Magistrate.

57. The unauthorized clearing of forest growth for cultivation in a couple of new Reserves in the Naushahro Division, which was remarked on in paragraph 55 of last year's report, was again persisted in. There were 8 such cases during the year, for the successful prosecution of which Forester Tekchand, Range Forest Officer, Kandiaro, deserves great credit.

Working of the special rules under S. 67 of the Indian Forest Act.

58. Reports from Divisional Forest Officers have been called for on the working of the special rules framed by the Hon'ble Mr. James for the treatment of offences compounded under S. 67 of the Indian Forest Act, which were reproduced *in extenso* under paragraph 56 of last year's report, but they have not yet come to hand. The rules have so far been known to cause some inconvenience. Doubtless, they side on leniency, but at the same time it has been found in practice that the limit of Rs. 5 up to which compensation for offences coming under Rule I-A can be accepted by Divisional Forest Officers has this disadvantage—that, when the produce stolen for use by a villager, and not for trade, is of higher value, as is not unfrequently the case, the only course open is to resort to prosecution or to accept compensation much below the real value of the stolen property. In order not to subject the poor population to unnecessary harassment as well as to save the time of the Forest Subordinates and Magistrates, the latter course is usually followed. It will be, therefore, necessary on the receipt of the Divisional Forest Officers' reports on the subject to address a special communication to the Commissioner in Sind with a view to the rules being modified in this particular as well as in others.

Cases compounded under S. 67.

59. The details of cases compounded during the year under report are compared with those of the previous year in the subjoined table :—

| Division. | Offences relating to | | | | | | Total. | |
|---|---|---|---|---|---|---|---|---|
| | Illicit grazing. | | Theft. | | Other offences. | | | |
| | 1895-96. | 1896-97. | 1895-96. | 1896-97. | 1895-96. | 1896-97. | 1895-96. | 1896-97. |
| Sukkur ... | 1,014 | 1,151 | 54 | 53 | ... | ... | 1,068 | 1,204 |
| Naushahro ... | 184 | 155 | 30 | 83 | ... | ... | 214 | 238 |
| Hyderabad ... | 351 | 405 | 20 | 50 | ... | 1 | 371 | 456 |
| Jerruck ... | 318 | 240 | 53 | 24 | ... | ... | 371 | 264 |
| Total ... | 1,867 | 1,951 | 157 | 210 | ... | 1 | 2,024 | 2,162 |

60. Under the first head, the Divisional Forest Officers, Sukkur and Hyderabad, attribute the increase to greater vigilance on the part of the Protective staff, not only in detecting cattle trespass in open forests, but also in keeping browsers out of the areas in which they were prohibited to graze. The decrease in Naushahro and Jerruck, on the other hand, is due to the activity displayed by some of the Range Forest Officers in petrolling their forests, resulting in the owners of cattle preferring to pay the legitimate dues instead of running the risk of paying the fines in addition when their cattle are caught actually trespassing.

A somewhat larger number of theft cases, in which are included offences relating to lopping of trees by goatherds and other graziers, appear in the Naushahro and Hyderabad Divisions. In Sukkur, it is about the same as in the previous year; but in Jerruck it is again reduced. Protection of the forests from theft in all the divisions has not reached that standard of perfection as the number of cases dealt with since 1893-94 would lead one to believe. The forests show signs of unauthorised loppings and misappropriation of small building timber—perhaps, not to the same extent as in former days—, but it has to be acknowledged that the number of such offences actually committed is far in excess of that shown annually in the returns as dealt with by Divisional Forest Officers. A good many either go undetected, owing to the numerical strength of the Protective staff being weak, or, what is equally probable, when discovered, the low-paid Forest Guards connive with the offenders for obvious reasons, and fail to report them.

61. Exclusive of illicit grazing cases which are commuted on a fixed scale under the special rules mentioned above, the number compounded, together with the sums of money accepted and received by Divisional Forest Officers, by payment of money compensation under S. 67 of the Indian Forest Act, compared with the figures of 1895-96, stood as under :—

| Division. | 1895-96. | | 1896-97. | |
|---|---|---|---|---|
| | Number of cases. | Compensation. | Number of cases. | Compensation. |
| | | Rs. | | Rs. |
| Sukkur ... | 54 | 141 | 53 | 182 |
| Naushahro ... | 30 | 48 | 83 | 111 |
| Hyderabad ... | 20 | 75 | 51 | 87 |
| Jerruck ... | 53 | 155 | 24 | 61 |
| Total ... | 157 | 419 | 211 | 441 |

*N. B.*—The compensation from 1951 cases of illicit grazing amounted during the year to Rs. 2,437 as against Rs. 2,142 from 1,867 cases of the year previous.

62. The details of these 211 compounded cases, as well as those coming under "illicit grazing," required under Government Resolution No. 1899, dated 13th March 1891, are given in the following statement. The average compensation per case is Re. 1-5-4 :—

| Division. | Number of cases in which compensation was fixed at Rupees | | | | | | | | | | | | | | | Total. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 14 | 15 | 18 | |
| Sukkur ... ... | 626 | 290 | 149 | 48 | 45 | 14 | 9 | 7 | 5 | 3 | 2 | 3 | 2 | ... | 1 | 1,204 |
| Naushahro ... ... | 181 | 42 | 7 | 2 | 4 | 1 | ... | ... | ... | ... | ... | ... | ... | 1 | ... | 238 |
| Hyderabad ... ... | 393 | 32 | 10 | 8 | 11 | 2 | ... | ... | ... | ... | ... | ... | ... | ... | ... | 456 |
| Jerruck ... ... | 138 | 76 | 32 | 5 | 9 | 1 | 2 | 1 | ... | ... | ... | ... | ... | ... | ... | 264 |
| Total ... | 1,338 | 440 | 198 | 63 | 69 | 18 | 11 | 8 | 5 | 3 | 2 | 3 | 2 | 1 | 1 | 2,162 |

63. The information given below is in accordance with paragraph 11 of Government Resolution No. 1899 of the 15th March 1891 :—

| Division. | Number of complaints disposed of under S. 67. | Number of cases in which compensation has been accepted | Number of appeals against the proceedings. | Manner in which appeals have been disposed of. |
|---|---|---|---|---|
| Sukkur ... ... | 1,204 | 1,204 | ... | ... |
| Naushahro ... ... | 241 | *238 | ... | ... |
| Hyderabad ... ... | 456 | 456 | ... | ... |
| Jerruck ... ... | 264 | 264 | ... | ... |
| Total ... | 2,165 | 2,162 | ... | ... |

* 3 cases were let off with a warning.

64. The following table gives a classification of the new cases of the year under the various heads of crime in the form prescribed in circular letter No. 9-171-1-F. of the Government of India, dated 10th June 1897 :—

| Division. | Cases taken into Court. | | | | Cases compounded. | | | | Cases undetected. | | | | Total Cases. | | | | Grand Total of Cases. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Injury to forests by fire. | Unauthorised fellings or appropriation of wood and minor forest produce. | Grazing without permission or in tracts in which grazing is prohibited. | Other offences. | Injury to forests by fire. | Unauthorised fellings or appropriation of wood and minor forest produce. | Grazing without permission or in tracts in which grazing is prohibited. | Other offences. | Injury to forests by fire. | Unauthorised fellings or appropriation of wood and minor forest produce. | Grazing without permission or in tracts in which grazing is prohibited. | Other offences. | Injury to forests by fire. | Unauthorised fellings or appropriation of wood and minor forest produce. | Grazing without permission or in tracts in which grazing is prohibited. | Other offences. | |
| Sukkur ... | 3 | 6 | 7 | 15 | ... | 50 | 1,151 | 3 | 25 | 26 | ... | ... | 28 | 82 | 1,158 | 18 | 1,286 |
| Naushahro ... | 1 | 3 | ... | 10 | ... | 83 | 155 | ... | 12 | ... | ... | ... | 13 | 86 | 155 | 10 | 264 |
| Hyderabad ... | ... | 8 | 1 | 2 | ... | 50 | 405 | 1 | ... | 14 | ... | ... | ... | 72 | 406 | 3 | 481 |
| Jerruck ... | 1 | 1 | ... | 2 | ... | 24 | 240 | ... | ... | ... | ... | ... | 1 | 25 | 240 | 2 | 268 |
| Total ... | 5 | 18 | 8 | 29 | ... | 207 | 1,951 | 4 | 37 | 40 | ... | ... | 42 | 265 | 1,959 | 33 | 2,299 |

*(2) Fire Protection.*

Forest fires.

65. The results of the year's fire protection as compared with those for the year 1895-96 are shown below :—

| Division. | Number of fires. | | Area burnt. | |
|---|---|---|---|---|
| | 1895-96. | 1896-97. | 1895-96. | 1896-97. |
| | | | Acres. | Acres. |
| Sukkur ... | 88 | 28 | 6,653 | 1,416 |
| Naushahro ... | 17 | 12 | 329 | 281 |
| Hyderabad ... | 16 | 16 | 1,236 | 1,241 |
| Jerruck ... | 24 | 16 | 2,666 | 1,037 |
| Total ... | 145 | 72 | 10,884 | 3,975 |

66. Fire protection was generally successful in all divisions, and the work was a little lightened by the season being not so unfavourable as the last for fire conservancy. The river commenced to rise earlier and kept up to about its normal height between the last week in June and the middle of September, so that the forests were not in such an inflammable condition as they were in 1895-96. The punitive measures enforced in some of the forests in Upper and Central Sind in that year have also had the desired effect in that the number of fires was visibly less, especially in the Sukkur Division.

67. It is also satisfactory to be able to record that fire discipline was successfully maintained. The good will of the villagers in repairing to the scene readily and cheerfully to fight fires was remarkable, and it is due to their efforts as well as to those of the Protective staff that, out of the 72 fire occurrences, 23 were extinguished before they had time to cause hardly any damage. Fires got out of hand only in two instances, when there was a strong breeze blowing continuously for hours. In one case, the worst one of the year, the fire, having been observed on the 10th February 1897 at about 3 o'clock in the afternoon, was with considerable difficulty got over by midnight, but unfortunately was relighted by sparks from a smouldering log owing to a gale of wind having sprung up at about noon on the following day—such storms being of frequent occurrence at the time of the year. In the other, both the subordinates and villagers were helpless, as it had taken a strong hold of the impenetrable mass of reeds before they reached the scene, and consequently all attempts to suppress it were set at defiance, owing to the inflammable material which was ablaze as well as the high wind which was raging at the time.